#### **HAZELRIGG & COX, LLP**

ATTORNEYS AT LAW

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Robert C. Moore Frankfort, Kentucky 40602-0676 Mark R. Brengelman

November 26, 2013

Dyke L. Hazelrigg (1881-1970) Louis Cox (1907-1971)

> (502) 875-7158 Telephone: (502) 227-2271

Jeff Derouen Executive Director, Public Service Commission P.O. Box 615. Frankfort, Kentucky 40602

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DEC - 2 2013 PUBLIC SERVICE COMMISSION

Gerald Wuetcher **Public Service Commission** P.O. Box 615 Frankfort, Kentucky 40602

Jennifer B. Hans Gregory T. Dutton Assistant Attorneys General 1024 Capital Center Drive Suite 200 Frankfort, Kentucky 40601-8204

> Application of Classic Construction, Inc. ("Classic Construction") for Rate Adjustments Re:

for Small Utilities Case No 2013-00258

#### Dear Ladies and Gentlemen:

On November 25, 2013, you were served with a copy of Classic Construction's Comments to the Commission Staff's Report ("Report"). Inadvertently, the first page of Classic Constructions's Comments and the Affidavit of Russell Givens, attached as an exhibit thereto, contained the incorrect case number. Accordingly, I have enclosed for your files a first page of the Comments and Mr. Givens' Affidavit containing the correct case number. I apologize for any inconvenience this may have caused.

One additional matter, I have also enclosed for your files a copy of Classic Construction's Motion to Late File Comments to the Commission Staff's Report and to file an original and one copy of its Comments. Please call me if you have any questions concerning this matter.

RCM Enclosures

Russell Givens cc:

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE COMMISSION

APPLICATION OF CLASSIC CONSTRUCTION OF	)
INC. FOR RATE ADJUSTMENT FOR SMALL	)
UTILITIES PURSUANT TO 807 KAR 5:076	) CASE NO 2013-00258

## COMMENTS OF CLASSIC CONSTRUCTION, INC., TO COMMISSION STAFF REPORT

Comes Classic Construction, Inc. ("Classic Construction"), by counsel, and for its Comments to the Commissions Staff's Report ("Report") states as follows:

- 1. Overall Revenue Requirement, Required Revenue Increase, and Rates. Staff states that "Classic Construction may file additional documents with the Commission that support the expenditures listed in Attachment B of this report and additional loan documents that support a higher revenue increase". Accordingly, Classic Construction submits the following additional documents:
  - Exhibit 1 Bank Statements for Classic Construction reflecting the checks written for the test year, including checks written to KU, invoices issued by KU to Classic Construction for the test year, and Payment History issued by KU reflecting the payments made by Classic Construction for electricity provided to the Owenton Road Pump and the Shenandoah Drive Pumpstation;
  - Exhibit 2 Tax bills issued to Classic Construction payable to the Franklin County Sheriff. See also Exhibit 1, which includes the cancelled checks written to pay these bills;
  - Exhibit 3 Copy of Invoice issued by Perry's Septic Service in the amount of \$410.00. See also Exhibit 1, which includes the cancelled checks written to pay this bill;
  - Exhibit 4 Wilson Electric Invoice in the amount of \$482.30. See also Exhibit 1, which includes the cancelled checks written to pay this bill;

## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

#### In the Matter of:

APPLICATION OF CLASSIC CONSTRUCTION OF	)
INC. FOR RATE ADJUSTMENT FOR SMALL	)
UTILITIES PURSUANT TO 807 KAR 5:076	) CASE NO 2013-00258

#### AFFIDAVIT OF RUSSELL GIVENS

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Comes the affiant, Russell Givens, and after being sworn, states as follows:

- That my name is Russell Givens and I am the sole shareholder in Classic Construction.
- 2) That Classic Construction does not have any employees.
- 3) That in 2012, I wrote the following checks in the total amount of \$1,435.00 to cash: 1724, 1731, 1732, 1733, 1734, 1735, 1737, 1738, 1751, 1752, 1760, 1771, 1772, 1781, 1790, 1797, 1798, 1803, 1810, 1813, 1816, 1819, 1825, 1830, 1833, 1842, and 1844.
- That the checks written to cash were to pay for services provided to maintain the wastewater treatment plant site by Scott Givens, who performed the following services: mowing the site, cleaning the contact tank, trimming trees, assisting in general maintenance, and pulling pumps. Scott was paid the hourly rate of approximately twenty dollars (\$20.00) per hour.
- 5) That I inspected the wastewater treatment plan and collection system on a weekly basis requiring me to drive my vehicle 3.3 miles each time, for a total of 171.6

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## COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

DEC -2 2013

In the Matter of:

PUBLIC SERVICE COMMISSION

THE APPLICATION OF CLASSIC CONSTRUCTION,	)	
INC., FOR RATE ADJUSTMENT FOR	)	CASE NO. 2013-00258
FOR SMALL UTILITIES	)	

# CLASSIC CONSTRUCTION, INC.'S MOTION TO LATE FILE COMMENTS TO STAFF REPORT AND TO FILE AN ORIGINAL AND ONE COPY OF COMMENTS

Comes Classic Construction, Inc. ("Classic Construction"), by counsel, and for its Motion to Late File Comments to the Commission Staff's Report ("Report") and to file an original and one copy of its Comments, states as follows:

- The Commission Staff Report was filed in the above-styled case on October 31, 2013.
   Classic Construction was given until November 14, 2013 to file its response to the
   Commission Staff Report.
- On November 14, 2013, the undersigned filed his Notice of Entry of Appearance notifying the Public Service Commission that he would be representing Classic Construction in this case, and by Order entered on November 15, 2013, the parties were given until November 25, 2013, within which to file any Comments to the Staff Report.
- The afternoon of November 25, 2013, Classic Construction was still receiving information from third parties that was needed to prepare its Comments to the Staff Report. Therefore, the Comments to Staff Report were completed late in the afternoon of November 25, 2013.
- 4) Classic Construction's Comments to Staff Report were served upon the parties on November 25, 2013. However, it was too late in the day to file at the Commission's File

- Room Classic Construction's Comments to Staff Report.
- 5) The granting of Classic Construction's Motion to Late File its Comments to Staff Report should not cause prejudice to any party, as the comments were served on the parties by First Class Mail on November 25, 2013, and the Comments to Staff Report were tendered to the Commission for filing the morning of November 26, 2013.
- 6) Classic Construction requests that the requirement set forth in 807 KAR 5:001, Section 7 to file ten (10) copies of its Comments be waived and that it be allowed to file the original and one copy of its Comments due to their voluminous size. In support of this request, Classic Construction states that it will file any further documents in this case electronically using the procedures set forth in 807 KAR 5:001, Section 8.

Respectfully Submitted,

Robert C. Moore

Hazelrigg & Cox, LLP

415 West Main Street, 1st Floor

P.O. Box 676

Frankfort, Kentucky 40602-0676

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon Jeff Derouen, Executive Director, Public Service Commission, 211 Sower Blvd., P.O. Box 615, Frankfort, Kentucky 40602, Gerald Wuetcher, Public Service Commission, 211 Sower Blvd., P.O. Box 615, Frankfort, Kentucky 40602 and Jennifer B. Hans and Gregory T. Dutton, Assistant Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Ky., 40601-8204, by placing same in the U.S. Mail, postage pre-paid, this the 26th day of November, 2013.

Robert C. Moore